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**Traffic Court Report.**—The first report of the Traffic Court of New York City has just been issued. The report covers that part of the year 1916, after June 14th, the date on which the court was established.

The Traffic Court is established in accordance with an amendment to the Inferior Courts Act of the City of New York permitting the establishment of special courts. This amendment was fathered by the Committee on Criminal Courts. The court has jurisdiction over violations of the State Highway Law, the Speed Ordinance and violation of other traffic ordinances and regulations.

There was an average of 53 cases per day in the 139 sessions that the court held. The total number of persons arraigned was 7,365. All were arraigned on summons excepting 225 who were summarily arrested and 15 who were brought in on warrants issued by the court, which shows clearly the value of the use of the summons. Six thousand four hundred and fifty-one, or 87.6 per cent, pleaded guilty. Of the 885 pleading not guilty, 216 were acquitted. Twenty-nine cases were pending December 31.

Ninety-seven per cent. of all arraigned were convicted. Sentence was suspended on 40 persons convicted, six-tenths of one per cent. of the entire number convicted. One hundred and seventeen were given prison sentences, the remainder comprising 97.7% of convictions, were fined.

The registration numbers of 4 owners of motor vehicles were suspended and the licences of 6 chauffeurs were revoked for operating motor vehicles while intoxicated. Of the 3,285 violations of the speed ordinance, 201 were second offenders and 24 were third offenders.

The court collected \$103,609 in fines. Six thousand nine hundred and seven persons were fined. Of this number, 6,128 paid their fines in court, 485 paid their fines after commitment, and 294 served sentences in default of payment of fines.

The report shows that the largest number of speed violations were on 5th Avenue and Riverside Drive.

In the appendix of the report will be found the laws and ordinances regulating speed and traffic of the City of New York. The report also gives the history of the speed ordinance. The court is presided over by City Magistrate Frederick B. House.—George E. Everson, New York City.

**The Public Defender.**—The growth of the Public Defender idea during the past few years throughout the United States is significant of the general awakening to the necessity of affording a "square deal" in the criminal courts to all classes of accused persons.

By legislative enactment or local provision, the office of Public Defender has been established in Los Angeles, Portland (Ore.), Omaha, Pittsburgh, Minneapolis, Norfolk, Atlanta, Hartford, Bridgeport, Columbus (O.), Houston, Evansville, Denver and Wilmington (N. C.).

Public Defender Bills are pending or will be introduced in numerous state legislatures, and vigorous movements supported by leading citizens have been launched in many of our large cities looking towards the creation of this new office.

In New York City, "The Voluntary Defenders' Committee," organized and financed by a group of public-spirited individuals, is furnishing paid counsel to indigents accused of crime. While this plan is fundamentally unsound, in that it substitutes charity for justice—and is a private instead of a public function—

it is an eloquent tribute to the force of the Public Defender sentiment and is unquestionably a step in the evolution towards public defense.

All of these various activities prove conclusively that the time is past when the Public Defender movement can be regarded as the hobby of so-called "sentimental reformers." Modern society is recognizing the fact—as did many older civilizations—that accused persons are legally entitled to a proper and adequate defense. The state must safeguard innocence as well as punish guilt. Otherwise our highly prized "presumption of innocence" is a meaningless phrase.

The rapidly increasing sentiment for a real "equality before the law" cannot be ignored. The Public Defender idea is sanctioned by precedent and experience in this and other countries. It is justified both from the standpoint of efficiency and economy. A proper and just administration of the criminal law requires the adoption universally of this essentially humane proposal. An enlightened and progressive public will demand the same rights for the poor man accused of crime as are given to those more fortunately situated.—Mayer C. Goldman of the New York City Bar.

#### PAROLE—PROBATION

**Adult Probation: Ten Years' Experience in Indiana.**—Ten years' statistics on the operation of the probation law are now available, the law having been in force since April 1, 1907.

Judges of the several circuit and criminal courts are authorized by this law to suspend the sentence of persons convicted of felony or misdemeanor, or who have pleaded guilty to such a charge, except for the crimes of murder, arson, rape, treason and kidnapping. The statute is based on the assumption that it is possible to reclaim many law-breakers without fixing upon them the stigma of prison life.

So far as this law applies to misdemeanants, there are no available statistics of results. When the sentence is to one of the state prisons or the reformatory, however, the probationed offender is thereafter in the legal custody and control of the institution to which he would have been sent, and is subject to the rules and regulations governing paroled prisoners, including supervision by its parole officers. Of this class the institutions named keep accurate records.

In the ten years the law has been in operation sentence was suspended in the case of 2,104 men and 59 women, 662 of whom otherwise would have had to go to the state prison, 1,442 to the reformatory, and 59 to the woman's prison, a total of 2,163. The law provides that if these persons on probation violate their probation, the original sentence shall be carried out. This was done in the case of 267 prisoners, while 406 others who were delinquent had not been apprehended up to the close of the fiscal year. These 673 constituted 31.1 per cent of the whole number placed on probation. The percentage of violations reported from the different institutions was as follows: The state prison, 25.52; the reformatory, 33.76; the woman's prison, 30.57. Of the remaining 1,490, 15 died, 204 were under supervision April 1, 1917, 1,266 had been discharged, and 5 had been pardoned by the Governor.

The reports from the state prison show that of the 662 whose sentence to that institution had been suspended, 70 were reporting at the close of the year, 4 had died and 419 had been discharged. There were 169 delinquents, of whom 75 were apprehended and taken to prison.

The reformatory reports 1,442 men placed under its supervision, 129 of